

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VICTOR W. COOPER,

No. C 02-03712 JSW

Plaintiff,

**ORDER DENYING WITHOUT
PREJUDICE MOTION SEEKING
ENFORCEMENT OF
SETTLEMENT AGREEMENT**

v.

STATE OF CALIFORNIA, et al.

(Docket 193)

Defendants.


On November 6, 2008, this Court received a motion filed by P.F. Lazor, which seeks enforcement of the Settlement Agreement that was entered in this action. On June 12, 2007, this Court adopted in full a report and recommendation from Magistrate Judge Spero, and pursuant to that recommendation the Court terminated continuing jurisdiction over enforcement of the Settlement Agreement in this matter. The Court finds no basis on which to revisit that determination.

Mr. Lazor's motion raises a number of issues relating to the implementation of the Kosher Diet program at CSP Delano. In light of the fact that the Court has terminated continuing jurisdiction over the Settlement Agreement, the Court DENIES WITHOUT PREJUDICE Mr. Lazor's motion. If Mr. Lazor seeks to challenge the Kosher Diet Program at CSP Delano, he may do so by re-filing the motion as a new case, in compliance with any exhaustion requirements that may apply to such claims and shall submit an application to proceed in forma pauperis or pay the requisite filing fees.

1 Mr. Lazor also requests a copy of the Settlement Agreement and a copy of the entirety
2 of this case file. The Clerk shall provide Mr. Lazor with a copy of the docket sheet, and an
3 estimate of how much a copy of the Settlement Agreement would cost. In the event Mr. Lazor
4 wishes to order other specific documents from the file, he may submit a request to the Clerk,
5 who shall then provide him with a cost estimate for those copies. If Mr. Lazor is unable to pay
6 for the copies, he may submit a motion to the Court requesting that the Court waive the costs of
7 any copies requested.

8 **IT IS SO ORDERED.**

9 Dated: November 13, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

COOPER,

Plaintiff,

v.

STATE OF CALIFORNIA, THE ET AL et
al,

Defendant.

Case Number: CV02-03712 JSW

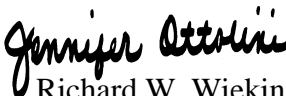
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 13, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

P.F. Lazor
#73842-C8-124
Box 5103
Delano, CA 93216-5103

Dated: November 13, 2008



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk